

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

LA CRESHA WILLIAMS,

Plaintiff,

v.

CITY OF MADISON, et al.,

Defendant.

No. 09-968-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Defendant Madison Police Department's Motion to Dismiss (Doc. 23). Defendant argues that Plaintiff has failed to state a claim on which relief can be granted as the Madison Police Department is not a suitable entity under **42 U.S.C. § 1983** as Plaintiff has also brought claims against the City of Madison and the police department is not a separate entity apart from the city. Plaintiff has filed a response acknowledging that the Madison Police Department is not a proper entity, agreeing that the police department should be dismissed, and moving for the dismissal of the Madison Police Department (Doc. 23). Accordingly, the Court **ACKNOWLEDGES** Plaintiff's request to dismiss the Madison Police Department and **DISMISSES with prejudice** the claims against the Madison Police

Department. The Court **DENIES AS MOOT** Defendant's motion to dismiss (Doc. 23).

IT IS SO ORDERED.

Signed this 21st day of April, 2010.

/s/ David R. Herndon

Chief Judge
United States District Court